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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/715,958

Applicant(s)

BARRY, JOHN

Examiner

Lalita M Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 04022005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

In response to the arguments presented on January 12, 2005, the Election/Restriction requirement has been withdrawn. Claims 1-53 will be examined.

### ***Claim Objections***

Claims 1-50 are objected to because of the following informalities: In claim 1, "a credit bureaus" should be "credit bureaus" and "second a credit" should be "second credit". In claim 17, "then" should be "than". In claim 25, "a first credit requests" should be "a first credit request". Appropriate correction is required.

The remaining claims are rejected for their dependency upon rejected claims 1 and 25.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 18, 21-22, and 51 are rejected under 35 U.S.C. 102(e) as being anticipated by DeFrancesco (6,587,841).

DeFrancesco discloses a computer implemented automated credit application system comprising a global vendor financing server that automatically processes a credit a network interface module capable of securely communicating with a vendor computer over a computer network including receiving a credit request for vendor financing and transmitting a credit level for the credit request, a credit bureau interface module capable of communicating with first and second credit bureaus, where the communicating comprises receiving credit information from at least one of the first and second a credit bureaus, and where the first and second a credit bureaus provide credit information for different countries, a scoring module capable of determining a credit level as a function of the credit request and the credit information, and a pricing module capable of generating a price for the credit request (col. 6, lines 11-17; col.9, lines 15-43; col.12, lines 29-62; col.22, lines 4-15—the system must only possess the capability of using information from different countries, since the user may specify bureau preferences); the computer network comprises an Internet (col.9, lines 30-43); forms module capable of generating a different application form for different credit requests (col.5, lines 1-32); a documentation module capable of generating electronic financing documents (col.19, lines 40-65); an interactive quote module capable of providing a price quote before the credit request is received (col.14, lines 25-33); and the credit request comprises a request for financing for multiple products (col.25, line 63 to col.29, line 31—multiple funding sources for multiple products if desired).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4-17, 19-20, 23-50, and 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeFrancesco in view of Zeanah (5,933,816).

DeFrancesco discloses the invention substantially as claimed; however, DeFrancesco does not disclose forms module is capable of generating an application form in a plurality of languages, the language of the generated form being based on a vendor identification received from the vendor computer; generating an application form in a plurality of currencies, the currency based on a vendor identification received from the vendor computer; the scoring module comprises different scoring mechanisms for different countries based on a country code received from the vendor computer; the pricing module generates a price as a function of a country code indicating a country where a financed product resides; the pricing module generates a price a function of a

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country code indicating a country where the vendor computer is located; the multiple products comprise products purchased in different currencies; the multiple products comprise products located in the countries; transmitting a first credit request to a first credit agency, where the first credit request indicates at least the entity and the first credit agency is selected from a plurality of credit agencies that provide credit information for different countries; the transmitting an empty vendor financing application comprises generating the empty vendor financing application in one of a plurality of languages based on a language identification received from the vendor computer; or generating the first credit level comprises using configurable score cards to determine the first credit level. Zeanah discloses a method and corresponding system for delivering services comprising forms module is capable of generating an application form in a plurality of languages, the language of the generated form being based on a vendor identification received from the vendor computer (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); generating an application form in a plurality of currencies, the currency based on a vendor identification received from the vendor computer (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); the scoring module comprises different scoring mechanisms for different countries based on a country code received from the vendor computer (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); the pricing module generates a price as a function of a country code indicating a country where a financed product resides (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines

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43-51); the pricing module generates a price a function of a country code indicating a country where the vendor computer is located (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); the multiple products comprise products purchased in different currencies; the multiple products comprise products located in the countries (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); transmitting a first credit request to a first credit agency, where the first credit request indicates at least the entity and the first credit agency is selected from a plurality of credit agencies that provide credit information for different countries (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); the transmitting an empty vendor financing application comprises generating the empty vendor financing application in one of a plurality of languages based on a language identification received from the vendor computer (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51); and generating the first credit level comprises using configurable score cards to determine the first credit level (col.2, line 65 to col.3, line 23; col.13, lines 13-63; col.16, lines 20-45; and col.29, lines 43-51). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate forms module is capable of generating an application form in a plurality of languages, the language of the generated form being based on a vendor identification received from the vendor computer; generating an application form in a plurality of currencies, the currency based on a vendor identification received from the vendor computer; the scoring module comprises different scoring mechanisms for different countries based on a country code received

from the vendor computer; the pricing module generates a price as a function of a country code indicating a country where a financed product resides; the pricing module generates a price a function of a country code indicating a country where the vendor computer is located; the multiple products comprise products purchased in different currencies; the multiple products comprise products located in the countries; transmitting a first credit request to a first credit agency, where the first credit request indicates at least the entity and the first credit agency is selected from a plurality of credit agencies that provide credit information for different countries; the transmitting an empty vendor financing application comprises generating the empty vendor financing application in one of a plurality of languages based on a language identification received from the vendor computer; and generating the first credit level comprises using configurable score cards to determine the first credit level, as suggested by Zeanah into the invention disclosed by DeFrancesco, to provide a system that may be used in many countries, as well as native currencies.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a series of loops and a long horizontal stroke extending to the right.

LMH